

96TH CONGRESS
1ST SESSION

S. 930

To amend the National Energy Conservation Policy Act to prohibit free Federal employee parking.

IN THE SENATE OF THE UNITED STATES

APRIL 9, 1979

Mr. PERCY (for himself and Mr. DURENBERGER) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend the National Energy Conservation Policy Act to prohibit free Federal employee parking.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Federal Employee Park-
4 ing Act".

5 SEC. 2. (a) Title V of the National Energy Conservation
6 Policy Act is amended by adding at the end thereof the fol-
7 lowing new part:

1 “PART 5—FEDERAL EMPLOYEE PARKING

2 “SEC. 571. (a) No real property located in the United
3 States, which is owned or leased by, or otherwise under the
4 jurisdiction of the United States Government, which is princi-
5 pally utilized, as determined by the Administrator of General
6 Services, to provide parking facilities for privately owned
7 motor vehicles in connection with employment, business, or
8 visitation of Federal offices or installations, may be utilized
9 for such propose unless there is assessed against each such
10 vehicle a charge or fee within the range of charges or fees
11 generally applicable for public parking purposes in similar
12 facilities in the same general locality.

13 “(b) As used in this section the term ‘similar facilities’
14 shall refer to publicly available parking facilities in nearby
15 business or commercial areas which are of the same kind (lot,
16 garage, or onstreet parking), convenience, and quality as that
17 granted on the Federal property. If such similar facilities do
18 not exist in nearby areas a fee shall be assessed which re-
19 flects fees charged in any public or private parking facility in
20 a comparable area elsewhere in the United States.

21 “(c) The restrictions imposed by subsection (a) shall not
22 be applicable to parking facilities provided in connection with
23 any Federal employee’s residence, including, but not limited
24 to, housing and visitation facilities at military bases and
25 installations.

3

1 “(d) The Administrator of General Services, the Direc-
2 tor of the Administrative Office of the United States Courts,
3 and the Architect of the Capitol shall take such steps as may
4 be necessary to coordinate the respective activities of the ex-
5 ecutive, judicial, and legislative branches of the Government
6 in the implementation of the restrictions imposed under sub-
7 section (a).

8 “(e) The provisions of this section shall become effective
9 upon enactment; except that the restrictions imposed by sub-
10 section (a) shall become effective on October 1, 1979, with
11 such phaseout period as the Administrator of the General
12 Services Administration determines is necessary to meet any
13 legal obligations or other compelling considerations.

14 “(f) All revenues collected pursuant to the provisions of
15 this section shall be deposited into the Treasury of the United
16 States as miscellaneous receipts.”.

17 (b) The table of contents of such Act is amended by
18 inserting immediately after section 509 the following:

“PART 5—FEDERAL EMPLOYEE PARKING

“SEC. 571. Federal employee parking.”.

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VA FEDERAL GRANTS APPLICABLE TO DOMICILIARY, NURSING AND HOSPITAL CARE PROVIDED BY STATE VETERANS HOMES—Continued

Location of State homes	Veteran days of care	Average daily census	Per diem cost	Total veteran cost	Present		VA grant-in-aid proposed	
					By VA	Percent by VA	By H.R. 2226	Percent by H.R. 2226
Fiscal year 1978								
Michigan: Grand Rapids	61,942	170	\$15.45	\$957,004	\$340,681	35.6	\$178,192	50.0
Minnesota:								
Minneapolis	121,256	332	13.71	1,596,942	666,908	41.8	791,802	49.6
Hastings (Annex)	5,610	16	42.82	245,830	30,855	12.6	54,589	22.1
Missouri: St. James	21,467	59	13.12	281,647	118,069	41.9	140,824	50.0
Montana: Columbia Falls	30,243	83	12.28	371,384	166,337	44.8	185,692	50.0
Nebraska: Grand Island	46,821	128	25.80	1,207,982	257,916	21.3	455,100	37.7
New Jersey:								
Menlo Park	34,071	93	20.19	687,894	187,391	27.2	331,170	48.1
Vineland	13,055	36	26.85	350,527	71,803	20.5	126,895	36.2
New York: Oxford	9,070	25	31.97	289,424	49,885	17.2	88,160	30.5
North Dakota: Lisbon	38,658	105	11.93	461,190	212,619	46.1	230,402	50.0
Ohio: Sandusky	252,480	692	14.46	3,650,861	1,207,072	33.1	1,825,430	50.0
Oklahoma:								
Ardmore	34,762	95	18.10	629,192	191,191	30.4	314,596	50.0
Clinton	13,947	38	22.28	310,439	76,709	24.7	135,565	43.6
Norman	79,772	219	37.17	2,965,123	438,747	14.8	775,284	26.1
Sulphur	10,636	29	23.48	249,521	58,498	23.4	103,382	41.4
Pennsylvania:								
Erie	27,398	75	25.98	711,800	150,689	21.2	266,309	37.4
Holidaysburg	10,176	28	18.00	183,168	65,968	36.6	91,584	50.0
Rhode Island: Bristol	41,332	113	18.77	775,802	229,326	29.3	87,694	50.0
South Dakota: Hot Springs	34,512	95	15.77	544,254	189,846	34.9	271,955	50.0
Vermont: Bennington	4,049	11	17.66	71,505	22,270	31.1	35,753	50.0
Washington:								
O'line	20,401	83	27.3	832,683	167,206	20.1	295,498	35.5
Retsil	58,581	140	21.80	1,111,386	280,396	25.2	495,535	44.6
Wisconsin: King	21,008	58	16.38	344,110	115,544	33.6	172,056	50.0
Wyoming: Buffalo	17,991	49	22.58	405,334	98,731	24.4	174,484	43.1
Nursing care	1,816,259	4,976	33.74	61,279,629	19,049,615	31.1	27,803,535	45.4
California: Yountville	124,355	341	23.85	2,966,867	1,305,728	44.0	1,483,555	50.0
Colorado:								
Florence	40,913	112	23.00	940,999	429,587	45.7	470,500	50.0
Homelake	6,774	19	27.89	188,927	71,127	37.6	94,458	50.0
Georgia:								
Augusta	63,511	174	30.23	1,919,938	666,866	34.7	960,286	50.0
Milledgeville	44,357	122	40.86	1,812,427	465,749	25.7	748,803	41.3
Illinois: Quincy	115,477	316	32.08	3,704,502	1,212,509	32.7	1,852,251	50.0
Indiana: Lafayette	61,463	168	43.01	2,643,524	645,362	24.4	1,036,881	39.2
Iowa: Marshalltown	56,702	155	36.91	2,659,891	595,371	24.4	1,036,881	39.2
Kansas: Fort Dodge	19,772	54	28.24	558,361	207,606	37.2	279,181	50.0
Massachusetts:								
Chelsea	20,229	55	21.59	436,744	212,405	48.6	213,473	50.0
Holyoke	80,161	220	47.91	3,840,514	841,691	21.9	1,352,316	35.2
Michigan: Grand Rapids	176,357	483	37.89	6,682,167	1,851,749	27.7	2,975,143	44.5
Minnesota: Minneapolis	32,543	89	29.80	969,781	341,702	35.2	484,891	50.0
Missouri: St. James	32,993	90	19.72	650,622	325,311	50.0	325,311	50.0
Montana: Columbia Falls	14,083	39	22.66	319,121	147,872	46.3	159,560	50.0
Nebraska: Grand Island	134,552	369	28.77	3,877,061	1,412,796	36.5	1,936,203	50.0
New Hampshire: Tilton	26,430	72	28.66	757,484	277,515	36.6	378,742	50.0
New Jersey:								
Menlo Park	92,931	255	27.55	2,560,249	975,776	38.1	1,280,589	50.0
Vineland	85,604	235	40.41	3,459,258	898,842	26.0	1,444,139	41.8
New York: Oxford	11,403	31	54.13	617,244	119,732	19.4	192,369	31.2
Oklahoma:								
Ardmore	28,352	78	30.14	854,246	297,696	34.8	427,265	50.0
Clinton	55,583	152	30.73	1,708,066	583,622	34.2	854,311	50.0
Norman	16,739	46	43.29	724,631	175,760	24.3	282,387	39.0
Sulphur	47,772	131	32.63	1,558,800	501,606	32.2	779,639	50.0
Tulhina	52,371	144	38.65	2,024,199	549,898	27.2	883,499	43.7
Pennsylvania:								
Erie	25,245	69	25.98	655,865	265,073	40.4	327,933	49.2
Holidaysburg	0	0	0	0	0	0	0	0
Rhode Island: Bristol	62,393	171	37.14	2,317,276	665,127	28.3	1,052,570	45.5
South Carolina: Columbia	34,562	95	29.16	1,007,828	362,901	36.0	503,914	50.0
South Dakota: Hot Springs	11,060	30	30.45	336,711	116,130	34.5	168,444	50.0
Vermont: Bennington	40,625	111	24.78	1,006,688	426,563	42.4	503,344	50.0
West Virginia:								
Orting	26,645	73	34.68	924,049	279,773	30.3	449,501	48.6
Retsil	27,447	75	39.70	1,089,646	288,194	28.0	463,031	42.5
Wisconsin: King	146,855	372	37.54	5,512,937	1,524,978	28.0	2,477,444	44.9
Hospital care	366,478	1,004	57.40	21,038,261	4,214,499	20.0	8,940,873	42.5
California: Yountville	141,894	389	46.60	6,612,260	1,631,781	24.7	3,306,130	50.0
Connecticut: Rocky Hill	116,435	319	44.10	5,134,784	1,339,003	26.1	2,567,381	50.0
Illinois: Quincy	7,588	21	55.70	422,652	87,262	20.6	211,325	50.0
Louisiana: Marshalltown	45,047	123	80.47	3,685,737	518,156	14.3	1,293,136	35.7
Massachusetts:								
Chelsea	43,013	118	86.68	3,728,361	494,650	13.3	1,234,473	33.1
Holyoke	3,935	11	273.66	840,752	45,253	5.4	112,935	13.4
Oklahoma: Sulphur	6,898	19	48.67	335,726	79,327	23.6	167,897	50.0
Wisconsin: King	1,658	5	203.85	337,983	19,067	5.6	47,585	14.1

By Mr. PERCY (for himself and Mr. DURENBERGER)

S. 930. A bill to amend the National Energy Conservation Policy Act to prohibit free Federal employee parking; to the Committee on Governmental Affairs.

FEDERAL EMPLOYEE PARKING ACT OF 1979

Mr. PERCY. Mr. President, I introduce at this time a bill which is identical to a bill I introduced in 1977. That earlier bill proved to be, as I recall, the most unpopular bill I have ever intro-

duced—unpopular with my own staff and with every other staff member in the Senate, unpopular with every colleague in Congress.

Today I reintroduce this proposed legislation, knowing now that it has the full support of the majority leader of the Senate and knowing also that it has the support of the President of the United States.

Mr. President, I was extremely pleased that President Carter, in his energy speech last week, said that he

intends to phase out subsidized parking for Federal employees. I have long supported this concept, and in 1977 proposed legislation which would have ended free parking for all Federal employees.

Although the legislation failed, I believe that it is now an idea whose time has come. While I applaud President Carter's action, I believe that to be fairer and more effective, phasing out of free parking should include Mem-

bers of Congress and congressional employees, as well as the Federal judiciary.

The day of free-ride should be over. All Federal employees, including Members of Congress and their staffs, should pay for parking just as most other citizens do.

For these reasons, today I am introducing the Federal Employees Parking Act of 1979. The bill would amend the National Energy Conservation Policy Act of 1978. It is similar to the legislation which I introduced in 1977.

The proposed legislation would institute a system of parking fees for all Federal employees. It would require the Administrator of the General Services Administration, the Director of the Administrative Office of U.S. Courts, and the Architect of the Capitol to identify all Federal properties in the United States which are used primarily for private parking.

These officials would determine parking fees for those properties based on the rates charged for public parking facilities in the immediate area. In suburban or rural areas where no parking fees are customarily charged for any facilities, no fee would be required.

Priority and eligibility for parking privileges would still be determined in accordance with current seniority systems. Carpooling, vanpooling, or other energy saving plans would remain in effect.

The establishment of parking fees will have many positive effects. Energy would be saved as Federal employees switch to carpools and mass transit. This would help to stimulate the development of mass transit systems, and would help to cut air pollution in areas such as Washington, D.C., where there are large numbers of Federal workers. It also will help reduce the Federal deficit by covering the cost of maintaining federally operated parking facilities. Under my bill, these facilities would be paid for by the people who use them, rather than by taxpayers.

Mr. President, those of us who support a comprehensive national energy policy also have maintained that the policy must be balanced so that the burdens are shared as equally as possible. If the Federal Government—especially Congress—expects Americans to accept this policy, we must share the sacrifices.

The basic issue is simple: Is a self-interest in free parking more important to us than the national interest in fairness? Obviously not. I hope that my colleagues will join me in supporting this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 930

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Employee Parking Act".

Sec. 2. (a) Title V of the National Energy Conservation Policy Act is amended by adding at the end thereof the following new part:

"PART 5—FEDERAL EMPLOYEE PARKING

"Sec. 571. (a) No real property located in the United States, which is owned or leased by, or otherwise under the jurisdiction of the United States Government, which is principally utilized, as determined by the Administrator of General Services, to provide parking facilities for privately owned motor vehicles in connection with employment, business, or visitation of Federal offices or installations, may be utilized for such purpose unless there is assessed against each such vehicle a charge or fee within the range of charges of fees generally applicable for public parking purposes in similar facilities in the same general locality.

"(b) As used in this section the term 'similar facilities' shall refer to publicly available parking facilities in nearby business or commercial areas which are of the same kind (lot, garage, or on-street parking), convenience, and quality as that granted on the Federal property. If such similar facilities do not exist in nearby areas a fee shall be assessed which reflects fees charged in any public or private parking facility in a comparable area elsewhere in the United States.

"(c) The restrictions imposed by subsection (a) shall not be applicable to parking facilities provided in connection with any Federal employee's residence, including, but not limited to, housing and visitation facilities at military bases and installations.

"(d) The Administrator of General Services, the Director of the Administrative Office of the United States Courts, and the Architect of the Capitol shall take such steps as may be necessary to coordinate the respective activities of the Executive, Judicial, and Legislative Branches of the Government in the implementation of the restrictions imposed under subsection (a).

"(e) The provisions of this section shall become effective upon enactment, except that the restrictions imposed by subsection (a) shall become effective on October 1, 1979 with such phase-out period as the Administrator of the General Services Administration determines is necessary to meet any legal obligations or other compelling considerations.

"(f) All revenues collected pursuant to the provisions of this section shall be deposited into the Treasury of the United States as miscellaneous receipts."

(b) The table of contents of such Act is amended by inserting immediately after section 509 the following:

"PART 5—FEDERAL EMPLOYEE PARKING

"Sec. 571. Federal employee parking."

By Mr. PERCY (for himself, Mr. DOMENICI, Mr. HEINZ, Mr. KENNEDY, and Mr. TSONGAS):

S. 931. A bill to provide specific encouragement to localities for the development of energy management programs directed toward the implementation of energy conservation strategies and renewable resource-based technologies; to the Committee on Energy and Natural Resources.

LOCAL ENERGY MANAGEMENT ACT OF 1979

Mr. PERCY. Mr. President, few today would deny the urgent need to reduce our dependence on imported oil. Rising OPEC prices are straining family budgets here at home while diminishing the value of the dollar abroad.

No single "technological fix" can resolve our current energy dilemma. Nuclear energy, long regarded as our energy salvation, faces numerous uncertainties. The Three Mile Island accident has seriously undermined previous assump-

tions as to the safety of nuclear reactor operations. Long-term storage of radioactive waste poses another considerable challenge.

In developing energy alternatives, we must draw fully upon the ingenuity and and versatility of the American people. Individual innovators and small businesses are among our Nation's greatest resources.

America's cities, towns, counties, and villages are another major—and largely untapped—energy resource. Several units of local government have already exhibited their enormous innovative capacities in the energy field. Seattle, Wash., recently developed an imaginative conservation program which reduced the city's overall electricity consumption by 8 percent in 1977. In Davis, Calif., an energy-conserving building code has cut electricity and natural gas consumption in the residential sector by an amazing 18 percent. Hearings held last summer by the House Energy and Power Subcommittee highlighted these and other successful local energy initiatives.

Unfortunately, Davis and Seattle are by no means typical of America's several thousand local communities. Most units of local government have made little progress in coming to grips with the energy dilemma.

Better communication between localities is needed if we are to stimulate a more active local role in energy management. The Davis and Seattle experiences provide inspiring examples, but their lead will only be followed if reliable, detailed information about these and other local efforts is made widely available.

It is unreasonable to leave the task of information dissemination to individual localities. Davis alone has received hundreds of requests for information on its energy-conserving building code. It cannot afford to respond to these requests with more than the most basic, pre-packaged information.

The Federal Government has done little to fill this information gap. Within the Department of Energy, the Energy Extension Service, which recently concluded its pilot phase, primarily targets its information at individual consumers and small businesses. Another Department of Energy initiative, the comprehensive community energy management program, has begun to assess the energy management capacities of a few localities, but the program has done little to strengthen the flow of information between local government officials.

Mr. President, today I am introducing legislation which addresses the need both for a more reliable data base on local government energy initiatives and for better information-sharing among local government officials. The Local Energy Management Act, as it is called, focuses specifically on local government efforts to stimulate energy conservation and the development of renewable energy resources. I am pleased to have Senators DOMENICI, HEINZ, KENNEDY, and TSONGAS as cosponsors of this bill.

I would like to emphasize that the bill's funding requirements are quite

April 9, 1979

modest; \$39 million would sustain the bill's programs over a 3-year period. This is a fraction of what is being proposed for further research into such highly speculative projects as the solar power satellite.

I am further convinced that the bill's programs would be highly cost-effective. Upon examining several existing local energy initiatives, I have been impressed by the rapid pay-back of many measures. The city of Carbondale, Ill., is about to retrofit its water treatment plant with more energy-efficient equipment. City officials predict that within 8 months, energy savings will recover the cost of this \$20,000 investment. By stimulating comparable energy innovations in many localities, I am confident that the bill I am proposing would more than pay for itself in a few years' time.

In addition to being cost-effective, the Local Energy Management Act avoids creating any new offices within the Department of Energy. Rather, the proposed programs would become the responsibility of an existing office within the Department's Conservation and Solar Applications division.

Mr. President, I am introducing this bill with the hope of generating an active debate in the Congress regarding the Federal role in local energy management. This is an issue which I plan to raise when the Governmental Affairs Committee holds its oversight hearings on the Department of Energy later this spring. I look forward to hearing the views of my colleagues on this matter. I also welcome the comments of individual local officials and organizations such as the National League of Cities, the National Association of Counties, the U.S. Conference of Mayors, and the International City Management Association.

Mr. President, I ask unanimous consent that a summary of the Local Energy Management Act of 1979, followed by the text of the bill, be printed in the RECORD.

There being no objection, the summary and bill were ordered to be printed in the RECORD, as follows:

THE LOCAL ENERGY MANAGEMENT ACT—A BRIEF DESCRIPTION

The Local Energy Management Act proposes to create three interlocking programs:

DEMONSTRATION GRANT PROGRAM

A modestly funded Demonstration Grant Program would offer grants to localities for the implementation of programs which emphasize energy conservation and the development of renewable energy resources. At the end of the grant period, Demonstration Grant recipients would be asked to supply comprehensive information on the programs they have developed, including: (1) an estimation of fossil fuels to be displaced by these programs over a one-year, five-year, and ten-year period; (2) a description of their programs designed to provide information to the public regarding energy conservation and renewable energy resource options; (3) a description of mechanisms used by them to involve the public in energy policy decisions; and (4) a description of programs used to foster private industry—particularly small business—participation in energy conservation and renewable energy resources development. In addition, recipients would be required to outline their plans for future programs, particularly those involving major capital expenditures.

The data provided by Demonstration Grant recipients would constitute an important information resource for other localities wishing to develop their own programs in these areas.

LOCAL ENERGY REFERENCE CENTER

The Local Energy Reference Center would serve as a data bank and information clearinghouse for locally based energy management efforts. The Reference Center would draw upon the experiences of Demonstration Grant localities. In addition, it would collect information on successful programs conducted by non-Demonstration Grant localities.

To minimize the Department of Energy's administrative burdens, and to make maximum use of existing resources, the Reference Center would be established outside of the Department through a contractual arrangement with an organization or a consortium of organizations currently involved in disseminating information to local government officials.

TECHNICAL ASSISTANCE PANELS PROGRAM

The Technical Assistance Panels Program would serve as a versatile, decentralized information and technical assistance agency, with a branch in each of the ten regional offices of the Department of Energy. Each of these branches would be administered by a Panel Program Manager.

The Panel Program Manager would solicit requests for information or technical assistance from localities within the represented region. Upon receiving a particular request, the Program Manager would select from a number of possible response mechanisms. In straightforward cases, he or she could refer the inquiry to an appropriate Federal agency or to the Local Energy Reference Center.

In more demanding cases, the Program Manager would call upon a Technical Assistance Panel. This Panel would consist of individuals with particular expertise in energy conservation and renewable energy resources development. A two-thirds majority of Panel members would be local government officials, while the remainder would not be required to be government-affiliated. Each Federal Region would have its own Panel.

The purpose of the Panels would be to provide a direct, peer-based exchange of information among local officials. On receiving a referral from the Program Manager, a Panel member would consult with the local official who requested the assistance. This consultation would take place via telephone, written correspondence, or site visit. Other than expenses for site visits, Panel members would receive no financial compensation for their services.

The Technical Assistance Panel would occasionally be unable to respond with adequate detail or expertise to certain information requests. In such instances, the Program Manager would have discretionary power to contract with one or more consultants, up to the net equivalent of one full person-year per annum.

FUNDING

Funding for the Local Energy Management Act would be \$8 million for the first year, \$10 million for the second year, and \$12 million for the third year.

The Demonstration Grant Program would receive a minimum of 50 percent of the authorized funds; the Local Energy Reference Center would receive at least 10 percent of the funds; and a minimum of 25 percent of the funds would be allocated to the Technical Assistance Panels Program.

S. 931

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this

Act may be cited as the "Local Energy Management Act of 1979".

TITLE I—FINDINGS, DECLARATION OF PURPOSE, AND DEFINITIONS FINDINGS AND DECLARATION OF POLICY

Sec. 101. (a) The Congress hereby finds and declares that—

(1) local units of government are highly appropriate vehicles for the promotion of energy conservation and renewable resource-based technologies, because of their sensitivity to geographic and climatic variations, their ability to make effective use of available human skills and economic resources, their high visibility, and their capacity to accommodate a high degree of direct citizen involvement in the study, implementation, and demonstration of new programs;

(2) local units of government can play an important role in stimulating the involvement of private industry, particularly small businesses, in energy conservation and renewable energy resources development;

(3) many localities have already developed innovative and effective programs which promote energy conservation and the development of renewable energy resources;

(4) geographic and economic constraints have generally discouraged localities with successful programs in the energy field from sharing their knowledge and experience with other localities;

(5) the Federal Government has provided only scattered and insufficient information and financial assistance to localities for the purposes of encouraging energy conservation and the development of renewable energy resources; and

(6) the Department of Energy should encourage localities to implement energy conservation measures and to expand their use of renewable energy resources.

(b) It is the purpose of this Act to provide broader Federal assistance to localities by—

(1) establishing a Demonstration Grant Program, applicable to localities which propose to implement comprehensive programs promoting energy conservation and the development of renewable energy resources;

(2) establishing a Local Energy Reference Center, to collect and disseminate information on existing and potential local programs which promote energy conservation and the development of renewable energy resources; and

(3) establishing a Technical Assistance Panels Program, administered through the Department of Energy's Regional Offices, to facilitate information-sharing among local officials with respect to energy conservation and the development of renewable energy resources.

DEFINITIONS

Sec. 102. For the purpose of this Act, the term—

(1) "Department" means the Department of Energy;

(2) "Secretary" means the Secretary of the Department of Energy;

(3) "Assistant Secretary" means the Assistant Secretary for Conservation and Solar Applications;

(4) "region" refers to a Federal administrative region;

(5) "locality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law, with responsibility for the planning and administration of local affairs;

(6) "intermunicipal agency" means an agency established by two or more local units of government;

(7) "local official" means an elected representative of a unit of local government or if designated by the elected representative, an employee of a local unit of government;

(8) "energy conservation" means a capital investment or a practice which leads to a net saving in energy;